



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroshi FUKUDA et al.
Title: SYSTEM AND METHOD FOR
OPERATING A PLURALITY OF
POWER GENERATION
STATIONS
Appl. No.: 09/815,265
Filing Date: 03/23/2001
Examiner: Daryl C. Pope
Art Unit: 2632

**LETTER
(UNDER A GENERAL OBLIGATION OF CANDOR AND GOOD FAITH
IN PRACTICE BEFORE THE OFFICE)**


Commissioner for Patents
Alexandria, Virginia 22313-1450

Sir:

Applicants hereby respectfully request that the Patent Office recalculate the Patent Term Adjustment. It is believed that the Patent Term Adjustment should be 872 days.

- PAIR incorrectly lists the application completion date as May 4, 2001, instead of August 6, 2001, which is the date the Response to the Notice to File Missing Parts was filed. The correct filing date of August 6, 2001 should result in 2 Applicant days.
- The 14-month date from application filing date is May 23, 2002.
- The first PTO action was dated October 13, 2004, which resulted in 874 PTO days.
- Applicants timely filed a response to PTO action on January 12, 2005.
- PTO issued a Notice of Allowance dated March 28, 2005.

Therefore, total PTO days are 874 and total Applicant days are 2 which result in patent term adjustment days of 872.

 This letter is being filed consistent with the general obligation of candor and good faith in practice before the Office and pursuant to the PTO's response to Comment 43 of the Final Rule RIN 0651-AB06 published in the Federal Register, Vol. 65, No. 181, on September 18, 2000, which states as follows:

"In order to comply with this duty and where the correct adjustment is thought to be less than indicated by the Office, an application for term adjustment under § 1.705(b) need not be filed. Instead, a letter could be filed with the issue fee payment, indicating that the term adjustment is thought to be longer than appropriate."

Respectfully submitted,

Date JUN 22 2005

By 

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